



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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August 9, 2018

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, Connecticut 06103-3597

RE: **PETITION NO. 1042** – Somers Solar Center, LLC Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction and operation of a 5.0 MW AC Solar Photovoltaic Project located at 458 & 488 South Road, Somers, Connecticut. **D&M Plan Revision.**

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) is in receipt of your correspondence dated August 8, 2018 regarding the minor revision to the Development and Management (D&M) Plan for the above-referenced site that was approved by the Council on May 16, 2013.

Pursuant to Regulations of Connecticut State Agencies §16-50j-62(b), your request to use a herbicide to control nuisance vegetation, including, but not limited to, poison ivy (*Toxicodendron radicans*), that has overrun portions of the solar facility in areas beneath the solar arrays and along the perimeter fence is hereby approved with the condition that Somers Solar Center, LLC employ appropriate control measures to ensure the herbicide does not adversely impact the unnamed tributary of Abbey Brook between array areas A and B and to the east of array area D or the small wetland area on the western edge of the project site.

This approval applies only to the D&M Plan revision dated August 8, 2018. Any significant changes to the D&M Plan require advance Council notification and approval.

Thank you for your attention and cooperation.

Sincerely,

Melanie A. Bachman  
Executive Director

MAB

c: Parties and Intervenors  
Council Members

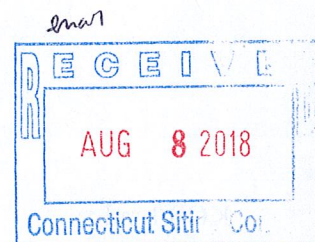
280 Trumbull Street  
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Also admitted in Massachusetts

August 8, 2018

*Via Electronic and U.S. Mail*

Melanie A. Bachman, Esq.  
Executive Director/Staff Attorney  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051



**Re: Petition No. 1042 – Somers Solar Center, LLC – Request for Minor Modification to Development and Management Plan Regarding Vegetation Management**

Dear Ms. Bachman:

On May 21, 2013, the Connecticut Siting Council (“Council”) approved the above-referenced petition, permitting the establishment of a 5.0 MWac solar photovoltaic electric generating facility at 458 & 488 South Road in Somers, Connecticut. Construction of the Somers Solar Center facility began in June of 2013 and commercial operation of the facility commenced on or about December 23, 2013.

During the course of the Council’s review of the petition, Somers Solar Center, LLC (the “Petitioner”) stated that it had no intention of using herbicides at the site to manage and control on-site vegetation. The Petitioner stated that vegetation around the arrays would be managed by mowing these areas. The Council’s Decision and Order in Petition No. 1042 does not, however, include a condition barring the use of herbicides.

Recently, portions of the Somers Solar facility have become overrun with certain types of “nuisance vegetation”, primarily poison ivy, in areas beneath the solar arrays and along the perimeter fence. In an effort to control the nuisance vegetation, the Petitioner is now seeking Council staff approval to use a herbicide to control the nuisance vegetation. The Petitioner will not use the herbicide in any of the grassy areas between the solar panels. Those areas will continue to be maintained (mowed) as described in the Petition No. 1042 record.

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# Robinson + Cole

Melanie A. Bachman, Esq.

August 8, 2018

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If you have any questions or need any additional information please do not hesitate to contact me. Thank you in advance for your anticipated cooperation.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

Copy to:

C.G. 'Bud' Knorr, Jr., Somers First Selectman

The Pleasant View Farms Realty Company, Property Owner

Audrey T. Bauhan, Esq.

Kevin R. Hennessy, Esq.